

12/21/01  
JC961 U.S. PTO

01-03-02

A

December 21, 2001

**Attorney Docket No.:**

Parent Serial No. 09/089,789

Parent Filing Date: June 3, 1998

J1046 U.S. PTO  
10/034622  
12/21/01

**Box PATENT APPLICATION**

Commissioner for Patents

Washington, D.C. 20231

Presented for filing is a new divisional patent application of:

Applicant: JAY M. SHORT

Title: CONSTRUCTION AND USE OF CATALOGUED NUCLEIC ACID LIBRARIES  
THAT CONTAIN ADVANTAGEOUSLY ADJUSTED REPRESENTATIONS OF  
DEFINED COMPONENTS

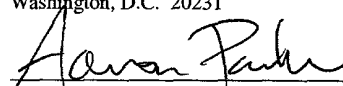
The prior application is assigned of record to Diversa Corporation by virtue of an Assignment filed with the original application on June 3, 1998.

Enclosed are the following papers, including all those required to receive a filing date under 37 CFR § 1.53(b):

	<u>Pages</u>
Specification	80
Claim(s)	2
Abstract	1
Drawing(s)	2

Enclosures:

Application Data Sheet  
Permission to use Sequence Listing  
Postcard

"EXPRESS MAIL" Mailing Label Number ET655520130US  
Date of Deposit December 21, 2001  
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231  
  
Aaron Parker

Docket No.  
Box Patent Application  
December 21, 2001  
Page Two

This application is a divisional and claims the benefit of priority under 35 USC § 120 to U.S. Patent Application Serial number 09/089,787, filed June 3, 1998, which is a continuation-in-part of U.S. Patent Application entitled "Production and Use of Normalized DNA Libraries", Serial No. 09/034,724, filed March 4, 1998; which is a continuation-in-part of U.S. Patent Application entitled "Production and Use of Normalized DNA Libraries", Serial No. 08/665,565, filed June 18, 1996, the contents of which are incorporated by reference in their entirety herein.

Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. §1.27 a Verified Statement is not required.

Basic filing fee	\$	0.00
Total claims in excess of 20 (0 times \$18.00)	\$	0.00
Independent claims in excess of 3 (0 times \$80.00)	\$	0.00
Multiple dependent claims	\$	0.00
Total filing fee:	\$	0.00

Please charge Deposit Account No. 50-0661 for the filing fees due.

If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please contact the attorney of record, Lisa A. Haile, Ph.D., at (858) 677-1456.


Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

Lisa A. Haile, Ph.D.  
Gray Cary Ware & Freidenrich LLP  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133  
Telephone: 858-677-1456  
Facsimile: 858-677-1465

Very truly yours,

Diversa Corporation

  
Lynn Linkowski  
Reg. No. 47,320  
Telephone: 858-526-5450  
Facsimile: 858-526-5950

PATENT  
ATTORNEY DOCKET NO.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Short Art Unit:  
Parent Serial No.: 09/089,789 Examiner:  
Parent Filing Date: June 3, 1998  
Serial No.:  
Filed:  
Title: CONSTRUCTION AND USE OF CATALOGUED NUCLEIC ACID  
LIBRARIES THAT CONTAIN ADVANTAGEOUSLY ADJUSTED  
REPRESENTATIONS OF DEFINED COMPONENTS

Commissioner for Patents  
Washington, D.C. 20231

**PERMISSION TO USE SEQUENCE LISTING**

Sir:

The above-identified patent application lacks a substitute paper copy of the Sequence Listing for inclusion into the Specification, as well as a computer readable form of the Sequence Listing. Applicants respectfully direct the attention of the Office to the following:

1. A complete paper copy of the Sequence Listing is included in the Specification and is identical to the computer readable copy of the Sequence Listing filed in U.S. Patent Application No. 09/089,789 (the "789 application"), filed June 3, 1998.
2. A computer-readable form in this application is identical with that filed in the "789 application", filed June 3, 1998. Pursuant to 37 CFR §1.821(e), please use the last-filed computer readable form filed in the "789 application" as the computer readable form for this application. It is understood that the Patent and Trademark Office will make the necessary

In re Application of:

Short

Application No.: 09/089,789

Filed: June 3, 1998

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PATENT

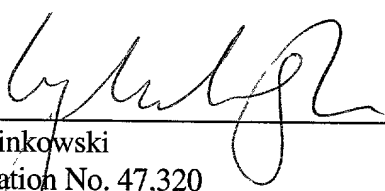
change in application number and filing date for the computer readable form that will be used for this application.

I hereby state, as required by 37 C.F.R. § 1.821 (g), that the enclosed submission includes no new matter. Applicants submit that the foregoing satisfies the requirements of Rule §1.821. If there are any questions regarding this response, the Office is invited to contact the attorney of record, Lisa A. Haile, Ph.D., at the address or telephone number listed below.

It is understood that this perfects the application and no additional papers or filing fees are required. If there are any other charges, or any credits, please apply them to Deposit Account 50-1355.

Respectfully submitted,

Dated: 12/21/01

  
\_\_\_\_\_  
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**Customer Number: 28213**